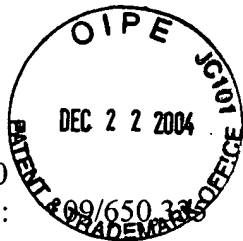


12643/210
Serial No.:



Confirmation Number 8334

AF/3753
ILW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. application of: Jeffrey A. Giacomel

Serial No.: 09/650,335

Filed: August 28, 2000

Art Unit: 3753

Examiner: Allen J. Flanigan

For: FOOD PREPARATION AND STORAGE DEVICE

Commissioner for Patents
Mail Stop AF
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING
(37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail and in an envelope addressed to: Assistant Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450

Date: December 17, 2004

William R Gustavson

(Typed name of person mailing paper)

(Signature of person mailing paper)

**NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND
INTERFERENCES(37 C.F.R. SECTION 1.191)**

Applicant hereby appeals to the Board of Appeals and Interferences from a decision dated September 17, 2004 finally rejecting claims 1, 2, 4, 6, 7, 9, 11, 20, 24-29, 31-33 and 35. The rejection of claims 1, 2, 4, 6, 7, 9, 11, 20, 24-29, 31-33 and 35.

Enclosed is payment of the Notice of Appeal fee of \$250.00 for a small entity by credit card on Form PTO-2038. If any additional fees are necessary for the proper filing of this Notice of Appeal, including any extension fees required under 37 C.F.R. Section 1.136, please withdraw them from Deposit Account 50-1274(12643/210).

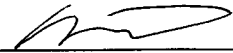
12/23/2004 AWONDAF1 00000032 09650335

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250.00 OP

Respectfully submitted,

By:



William R. Gustavson
Registration No. 29,160

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